

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

UNITED STATES OF AMERICA,

Plaintiff,

v.

20-CR-330-AJN

GHISLAINE MAXWELL,

Defendant.

X

AFFIDAVIT OF LAURA A. MENNINGER UNDER 28 U.S.C. § 3144

I, Laura A. Menninger, an attorney at law duly licensed in the State of Colorado and admitted to practice in the United States District Court for the Southern District of New York, declare the following is true and correct under penalty of perjury pursuant to 28 U.S.C. § 3144:

1. I am a member of the law firm Haddon, Morgan & Foreman, P.C., counsel of record for Defendant Ghislaine Maxwell (“Maxwell”) in the above captioned case.
2. Kelly Bovino is a material witness in this case for the defense. As described in Ms. Maxwell’s December 16, 2021 letter to this Court opposing the government’s motion to preclude Ms. Bovino from testifying, which Ms. Maxwell incorporates by reference, Ms. Bovino has relevant, material, and exculpatory testimony to provide in Ms. Maxwell’s defense.
3. Ms. Bovino was served with a trial subpoena, issued by this Court’s Clerk, on November 30, 2021.
4. Ms. Bovino is refusing to appear and testify as the subpoena commands.

5. We made diligent efforts to contact Ms. Bovino and even to put her on call for the testimony.
6. Ms. Bovino has not responded to our attempts to contact her.
7. She has not appeared as commanded by the subpoena.
8. Because Ms. Bovino has refused to comply with the subpoena, it is “impracticable to secure the presence of the person by subpoena” under the statute. § 3144.
9. And because the trial is ongoing, and because Ms. Bovino is not responding to our attempts to contact her, her testimony “can[not] adequately be secured by deposition.” § 3144.
10. Accordingly, under 28 U.S.C. § 3144, this Court can order Ms. Bovino’s arrest.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Dated: December 17, 2021.
New York, New York

s/ Laura A. Menninger

Laura A. Menninger
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